

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

GOFTANI MEKONNEN YADETA,)
)
)
Petitioner,)
)
)
v.) **Case No. 4:18-cv-01401-AKK-SGC**
)
)
WILLIAM BARR,¹ et al.,)
)
)
Respondents.)

MEMORANDUM OPINION

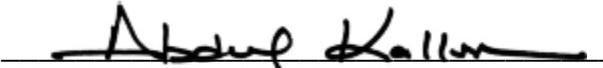
Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, seeking release from detention pending deportation to Ethiopia. Doc. 1. On March 1, 2019, the magistrate judge entered a report recommending the petitioner's request for habeas relief be dismissed without prejudice because the petition was filed prematurely and because the petitioner's continued detention resulted from his own refusal to board an airplane. Doc. 16. The magistrate judge advised the parties of their respective rights to file objections to the recommendation. *Id.* at 6. The copy of the report and recommendation mailed to the petitioner at the address on record has been returned to the court marked "RELEASED 01/31/2019." Doc. 17.

¹ Pursuant to Rule 25(d) of the *Federal Rules of Civil Procedure*, respondent William Barr, Attorney General of the United States, is automatically substituted for Jeff Sessions.

After consideration of the record in this action, the report and recommendation, and the returned mail marked “released,” the court finds petitioner’s release has rendered his habeas corpus petition moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003); *Soliman v. United States ex rel. INS*, 296 F.3d 1237, 1242 (11th Cir. 2002). Moreover, the court finds no exceptions to the mootness doctrine apply in this case. *See Murphy v. Hunt*, 455 U.S. 478, 482 (1982); *Carafas v. La Vallee*, 391 U.S. 234, 237 (1968). Therefore, this matter will be dismissed as moot.

A separate order will be entered.

DONE the 4th day of April, 2019.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE